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**BOX AF**

AF/3738

PATENT  
3.0-029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of :  
An, et al. :  
Application No. 09/388,726 : Group Art Unit: 3738  
Filed: September 2, 1999 : Examiner: B. Pellegrino  
For: DISTRACTABLE CORPECTOMY : Date: August 9, 2001  
DEVICE :  
X

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated as shown below.

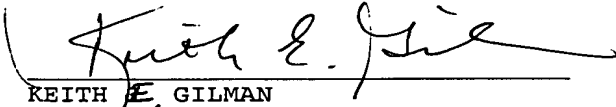
CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PAID FOR	NUMBER OF EXTRA CLAIMS	RATE	ADDL. FEE
TOTAL CLAIMS	* 40	MINUS **	40	= 0	x \$ 18 = \$	0.00
INDEP. CLAIMS	* 3	MINUS ***	3	= 0	x \$ 80 = \$	0.00
FEE FOR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S)					\$270 = \$	0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT.....\$						0.00

- \* If the entry in col. 2 is less than entry in col. 4 write "0" in col. 5.  
\*\* If the "highest number paid for" in this space is less than 20, write "20" in this space.  
\*\*\* If the "highest number paid for" in this space is less than 3, write "3" in this space.

1. ☒ No additional fee is required.  
2. ☒ Charge \$0.00 or any additional fees or credit overpayment to Deposit  
Account No. 12-1095. A duplicate copy of this sheet is enclosed.

LERNER, DAVID, LITTENBERG,  
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1. H.  
8-21-01  
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EXPEDITED PROCEDURE  
EXAMINING GROUP 3738  
PATENT  
OSTEONICS 3.0-029

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In re Patent Application of :  
An, et al. :

Application No. 09/388,726 :

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Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION AND RESPONSE TO  
REMOVE FINALITY OF ACTION

Sir:

In response to the Office Action mailed May 9, 2001,

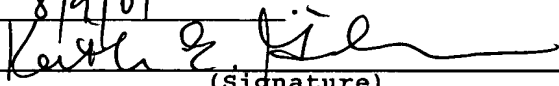
Applicants amend the above-identified application as follows:

IN THE CLAIMS:

CLEAN COPY OF AMENDED CLAIMS:

- 31
1. (Amended) A corpectomy device, comprising:
    - a) a first member having a longitudinal axis;
    - b) a second member moveable in an axial direction with respect to said first member; and

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on

8/9/01  
  
(Signature)

KEITH E. GILMAN

(Typed or Printed Name of Person Signing  
Certificate)